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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1950

No. 355

CORBIN D. HUGHES, ADMINISTRATOR OF THE ESTATE OF HAROLD G. HUGHES,

Plaintiff and Appellant,

vs.

GLENN C. FETTER AND FARMERS MUTUAL AUTOMOBILE INSURANCE COMPANY, A WISCONSIN CORPORATION,

Defendants and Respondents

STATEMENT AGAINST THE JURISDICTION OF THE UNITED STATES SUPREME COURT ASSERTED BY APPELLANT.

Section 331.03 of the Wisconsin Statutes (Wrongful Death Statute), in prohibiting the maintenance of an action in Wisconsin based upon the Wrongful Death Statute of another state by limiting the right to bring an action for wrongful death only "for a death caused" in Wisconsin, does not contravene either Section I, Article IV (full faith and credit clause) of the United States Constitution or Section I of the Fourteenth Amendment (due process

clause) to the United States Constitution but is a valid expression of the public policy of the State of Wisconsin.

The authority in support of the foregoing, in addition to that contained in the decision of the Wisconsin Supreme Court, is as follows:

16 *American Jurisprudence, Death,* Sec. 405, p. 263;

11 *American Jurisprudence, Conflict of Laws,* Secs. 11 and 183, pp. 310, 495;

Gray, et al. v. *Blight* (CCA 10th), 112 F. (2d) 696 (1940). (Writ of certiorari denied in 311 U. S. 704, 61 S. Ct. 170, 85 L. Ed. 457);

Kroger Grocery & Baking Co. v. *Reddin* (CCA 8th), 128 F. (2d) 787, 789-91;

Klaxon Co. v. *Stentor Electric Mfg. Co. Inc.,* 313 U. S. 487, 497-8, 61 S. Ct. 1020, 1022;

Pacific Employers Insurance Co. v. *Industrial Accident Comm.,* 306 U. S. 493, 59 S. Ct. 629, 83 L. Ed. 940;

100 Annotated Law Reports, p. 1143, 1145, note;

Loucks v. *Standard Oil Co.,* 224 N. Y. 99, 120 N. E. 198, 202, (1918). (Citing *Dougherty* v. *American McKenna Process Co.,* 225 Ill. 269, 99 N. E. 619)

Respectfully submitted,

ROBERT H. HOLLANDER,
Counsel for Appellees.

HANNAN, JOHNSON & GOLDSCHMIDT,
HERBERT L. WIBLE,
Of Counsel.